

**DRAFT
TOWN OF MANSFIELD
COMMUNITY QUALITY OF LIFE COMMITTEE
MINUTES
THURSDAY , MARCH 4, 2010**

Present: T. Moran, D. Morse, D. Keane, S. Rhodes, J. Fried (Committee members); G. Paddick, M. Nintean (staff); J. Hintz (university staff)

1. The meeting was called to order by T. Moran at 7:30.
2. Jane Fried was appointed recording secretary by unanimous vote.
3. Corrections to minutes of previous meeting:
 - a. Toni Moran was present at the meeting of February 4;
 - b. In item 6c the sentence regarding the definition of family to be made by ordinance should be deleted;
 - c. Item 6d correct typo in "previous;"
 - d. Item 5d should be deleted.
 - e. Rhodes moved approval of changes, Keane seconded, passed unanimously
4. Additional comments were made by the public. Comments below represent a summary of opinions expressed. Citizens who wish their comments to be included in the minutes *verbatim* should submit them to the secretary electronically.
 - a. There were several comments about the need to focus on student behavior as the main concern and not to attempt to address the problems of noise, "party houses" and potential blight in neighborhoods by methods which might have "unintended consequences."
 - b. Landlords continued to address the issue of reduction in the legal number of occupants as a major element in reducing their incomes. This potential action by the Council was described as evidence of the Town Council acting like "storm troopers." Several people commented on the fact that their expenses would not decline regardless of the number of occupants in their properties and that the vast majority of rental properties in town do not present the kinds of problems that these proposed ordinances and regulations are designed to address.
 - c. The landlords are now beginning to discuss the creation of a landlords' association which would, among other things, address the issues of student behavior in rental properties, explore the creation of common elements related to behavioral expectations to be included in leases and to speak with the committee regarding landlord concerns.
 - d. Comments were once again made that there are apparently a maximum of 20 "party houses" and that residents of other houses are well-behaved members of their neighborhoods.

- e. Comments were made about the economic impact of reducing occupancy levels since this makes purchase of residential properties for rental purposes less attractive and may depress real estate values throughout the town.
 - f. Comments were also made about the lack of creativity used in creating the solutions the committee has proposed and a request was made to suspend the rules and create a dialogue. One person remarked that freedom is never absolute and that no property holder has the absolute right to use his or her property for any purpose without considering impact on the neighborhood in which the property exists. Other residents asserted that they believe they do have this absolute right to use their property as they wish and that interfering with their right to control their income constitutes a violation of their Constitutional rights to liberty.
 - g. A copy of a letter from J. Friedman to the Committee for its February 3 meeting is attached.
5. Chairperson's report. Toni Moran was substituting for J. Briody who could not be present. There was no chairperson's report. Moran commented that the creation of a landlords' association would be valuable. Morse reminded the group that the town has no capacity to force a landlord to enforce a lease.
6. Communication:
- a. Language to close code loopholes has not yet been reviewed by the attorney. Status is postponed until the review occurs.
 - b. Housing code proposed changes – 901.1 language is continuing to be reviewed so that it achieves the goals of the proposed change.
 - c. Preliminary draft of the definition of Family, February 26, 2010: Paddick explained the details of the suggested Family Zoning ordinance. Use of the ordinance mechanism permits the designation of "nonconforming use" of properties also known as grandfathering. The purpose of these changes is to act as a disincentive for creation of additional rental properties in the future, not to stop people who are currently renting properties.
7. Additional information: Copies of statements submitted to the committee in writing are on file with these minutes.
8. Discussion ensued within the committee about the purposes of the proposed changes. Rhodes reminded the group that the town's goal is to preserve single family neighborhoods and to separate these neighborhoods from commercial areas. The mission of the CQOL is to make recommendations to the PZC, the Town Council and other elected groups. If these bodies do not agree with the recommendations of the committee, they do not have to adopt them. The committee then formally considered the following motion:
- a. The CQOL recommends that the Town Council consider and approve a revised definition of family for the purpose of preserving the residential character of residential neighborhoods in Mansfield,

including a reduction from 4 unrelated persons to 3 unrelated persons in rental properties in residential areas as defined in the expanded definition of family, February 26, 2010 draft. Motion made by Rhodes and seconded by Keane. Passed unanimously.

- b.* Keane told the committee that segments of the February 26 draft B, D, E, and I are inconsistent with DEMAS regulations and that she will address these inconsistencies before any official action is taken.
- 9. Rhodes suggested that the committee invite people from the real estate and banking professions to give us information about property values and economic variables that typically affect these values in situations similar to the one Mansfield is now facing. Hintz informed the committee about the creation of sample leases he is involved in. The spreadsheet of committee priorities will be revised and distributed for the next meeting.
- 10. The next meeting date has been changed to April 7 at 7:30 because of scheduling conflicts.
- 11. The meeting adjourned at 9:30. Rhodes moved, Keane seconded.

Respectfully submitted,
Jane Fried, Recording Secretary